

# Order

Michigan Supreme Court  
Lansing, Michigan

June 2, 2021

Bridget M. McCormack,  
Chief Justice

162076

Brian K. Zahra  
David F. Viviano  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh  
Elizabeth M. Welch,  
Justices

DEAN McMASTER,  
Plaintiff-Appellant,

v

SC: 162076  
COA: 339271  
Oakland CC: 2015-147414-NO

DTE ENERGY COMPANY and FERROUS  
PROCESSING AND TRADING COMPANY,  
d/b/a FERROUS PROCESSING & TRADING  
CO.,

Defendants,

and

DTE ELECTRIC COMPANY,  
Defendant-Appellee.

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On order of the Court, the application for leave to appeal the July 2, 2020 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address: (1) whether the enactment of MCL 480.11a abrogated the appellee's common law duty of ordinary care with respect to loading cargo for transport by a commercial motor vehicle operated by the appellant; and (2) whether the appellee owed a duty to the appellant under the "shipper's exception." See *United States v Savage Truck Line, Inc*, 209 F2d 442, 445 (CA 4, 1953). The appellant's brief and appendix shall be filed by September 27, 2021, with no extensions except upon a showing of good cause. The time for filing the remaining briefs shall be as set forth in MCR 7.312(E). The time allowed for oral argument shall be 20 minutes for each side. MCR 7.314(B)(1).



a0526

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 2, 2021

  
Clerk